

Effective 5/10/2016

Part 1 General Provisions

63L-8-101 Title.

- (1) This chapter is known as the "Utah Public Land Management Act."
- (2) This part is known as "General Provisions."

Enacted by Chapter 317, 2016 General Session

63L-8-102 Definitions.

As used in this chapter:

- (1) "Board" means the board created in Section 79-6-104.
- (2) "Commissioner" means the commissioner of the Department of Agriculture and Food, or the commissioner's designee.
- (3) "DAF" means the Department of Agriculture and Food.
- (4) "Director" means the director of the Division of Land Management or the director's designee.
- (5) "DLM" means the Division of Land Management, a division created within the Department of Natural Resources in Section 79-6-102.
- (6) "Grazing permit" means a document, issued by the Division of Land Management, authorizing use of public land for the purpose of grazing domestic livestock.
- (7) "Land use authorization" means an easement, lease, permit, or license to occupy, use, or traverse public land granted for a particular purpose.
- (8) "Minerals" means all classes of inorganic material upon, within, or beneath the surface of public land, including silver, gold, copper, lead, zinc, uranium, gemstones, potash, gypsum, clay, salts, sand, rock, gravel, oil, oil shale, oil sands, gas, coal, and all carboniferous materials.
- (9) "Multiple use" means:
 - (a) the management of the public land and the public land's various resource values so resources are best utilized in the combination that will meet the present and future needs of the citizens of Utah;
 - (b) making the most judicious use of land for some or all of the resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions;
 - (c) a combination of balanced and diverse resource uses that take into account the long-term needs of future generations for renewable and non-renewable resources, including recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values; and
 - (d) harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources.
- (10) "Public land" means any land or land interest acquired by the state from the federal government pursuant to Section 63L-6-103, except:
 - (a) areas subsequently designated as a protected wilderness area, as described in Title 63L, Chapter 7, Utah Wilderness Act; and
 - (b) lands managed by the School and Institutional Trust Lands Administration pursuant to Title 53C, School and Institutional Trust Lands Management Act.
- (11) "Rangeland" means open public land used for grazing domestic livestock.

(12) "Sustained yield" means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public land consistent with multiple use.

(13) "Wilderness" means the same as that term is defined in Section 63L-7-103.

Enacted by Chapter 317, 2016 General Session

63L-8-103 Principal or major use.

Each parcel of public land in this state shall be managed, as much as possible, to promote the following principal or major uses of the land, consistent with the principles of multiple use and sustained yield:

- (1) domestic livestock grazing;
- (2) fish and wildlife development and utilization;
- (3) mineral exploration and production;
- (4) rights-of-way;
- (5) outdoor recreation;
- (6) timber production; and
- (7) wilderness conservation.

Enacted by Chapter 317, 2016 General Session

63L-8-104 Declaration of policy.

(1) The Legislature declares that it is the policy of the state that:

- (a) public land be retained in state ownership consistent with the provisions of this chapter;
 - (b) public land may not be sold, except:
 - (i) as consistent with this chapter;
 - (ii) as consistent with local land use plans;
 - (iii) with the approval of the director and the board;
 - (iv) after sufficient opportunity for public comment; and
 - (v) for an important public interest;
 - (c) goals and objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield, unless otherwise provided by statute; and
 - (d) the public land be managed in a manner that will:
 - (i) recognize the state's need for domestic sources of minerals, food, timber, and fiber;
 - (ii) protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values;
 - (iii) where appropriate, preserve and protect certain public land in its natural condition;
 - (iv) provide food and habitat for fish, wildlife, and domestic animals; and
 - (v) provide for outdoor recreation, human occupancy, and other human use.
- (2) All rules made to effectuate the purposes of this chapter shall be made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Enacted by Chapter 317, 2016 General Session

63L-8-105 Interdepartmental cooperation.

(1) The director, subject to periodic review of the Legislature, may establish programs to conduct projects, planning, permitting, leasing, contracting and other activities on public land.

- (2)
- (a) The director shall provide management policies and programs for all uses of public land, including the principal or major uses described in Section 63L-8-103.
 - (b) The director shall consult with the commissioner, who may make recommendations to the director on rangeland management issues on public land, including:
 - (i) determining the number of domestic animals that may be sustained on a tract of land while maintaining that land for wildlife and fish use and future grazing use; and
 - (ii) issuing grazing permits.
 - (c) The director shall consult with other state agencies having management responsibility over natural resources that may be impacted by management decisions and actions on public land.

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